



## **I.R.E. 512. Comment Upon or Inference From Claim of Privilege; Instruction.**

### **Idaho Rules of Evidence Rule 512. Comment Upon or Inference From Claim of Privilege; Instruction.**

**(a) Comment or inference not permitted.** The claim of any privilege, created by these rules, whether in the present proceeding or upon a prior occasion, is not a proper subject of comment by judge or counsel and no inference may be drawn therefrom.

**(b) Claiming privilege without knowledge of jury.** In jury cases, proceedings shall be conducted, to the extent practicable, so as to facilitate the making of claims of privilege without the knowledge of the jury.

**(c) Jury instruction.** Upon request, any party against whom the jury might draw an adverse inference from a claim of privilege is entitled to an instruction that no inference may be drawn therefrom.

(Adopted March 26, 2018, effective July 1, 2018.)

**Source URL:** <https://isc.idaho.gov/ire512>